



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2014 REGULAR SESSION

SENATE BILL NO. 192

TUESDAY, MARCH 18, 2014

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE April 11, 2014
4:34 pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

1 AN ACT relating to special law enforcement officers.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 16.220 is amended to read as follows:

4 (1) Subject to the duty to return confiscated firearms to innocent owners pursuant to
5 KRS 500.090, all firearms confiscated by the Department of Kentucky State Police
6 and not retained for official use pursuant to KRS 500.090 shall be sold at public
7 auction to federally licensed firearms dealers holding a license appropriate for the
8 type of firearm sold. Any provision of KRS Chapter 45 or 45A relating to
9 disposition of property to the contrary notwithstanding, the Department of Kentucky
10 State Police shall:

- 11 (a) Conduct any auction specified by this section;
- 12 (b) Retain for departmental use twenty percent (20%) of the gross proceeds from
13 any auction specified by this section; and
- 14 (c) Transfer remaining proceeds of the sale to the account of the Kentucky Office
15 of Homeland Security for use as provided in subsection (4) of this section.

16 (2) Prior to the sale of any firearm, the Department of Kentucky State Police shall make
17 an attempt to determine if the firearm to be sold has been stolen or otherwise
18 unlawfully obtained from an innocent owner and return the firearm to its lawful
19 innocent owner, unless that person is ineligible to purchase a firearm under federal
20 law.

21 (3) The Department of Kentucky State Police shall receive firearms and ammunition
22 confiscated by or abandoned to every law enforcement agency in Kentucky. The
23 department shall dispose of the firearms received in the manner specified in
24 subsection (1) of this section. However, firearms which are not retained for official
25 use, returned to an innocent lawful owner, or transferred to another government
26 agency or public museum shall be sold as provided in subsections (1) and (3) of this
27 section.

1 (4) The proceeds of firearms sales shall be utilized by the Kentucky Office of
2 Homeland Security to provide grants to city, county, charter county, unified local
3 government, urban-county government, and consolidated local government police
4 departments; university safety and security departments organized pursuant to KRS
5 164.950; *school districts that employ special law enforcement officers as defined*
6 *in KRS 61.900*; and sheriff's departments for the purchase of:

7 (a) Body armor for sworn peace officers of those departments and service
8 animals, as defined in KRS 525.010, of those departments;

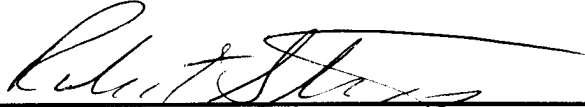
9 (b) Firearms or ammunition; and

10 (c) Electronic control devices, electronic control weapons, or electro-muscular
11 disruption technology.

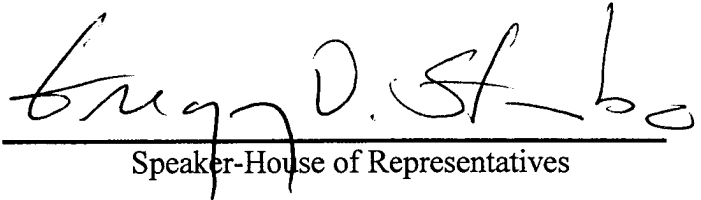
12 In awarding grants under this section, the Kentucky Office of Homeland Security
13 shall give first priority to providing and replacing body armor and second priority to
14 providing firearms and ammunition, with residual funds available for the purchase
15 of electronic control devices, electronic control weapons, or electro-muscular
16 disruption technology. Body armor purchased by the department receiving grant
17 funds shall meet or exceed the standards issued by the National Institute of Justice
18 for body armor. No police or sheriff's department shall apply for a grant to replace
19 existing body armor unless that body armor has been in actual use for a period of
20 five (5) years or longer.

21 (5) The Department of Kentucky State Police may transfer a machine gun, short-
22 barreled shotgun, short-barreled rifle, silencer, pistol with a shoulder stock, any
23 other weapon, or destructive device as defined by the National Firearms Act which
24 is subject to registration under the National Firearms Act and is not properly
25 registered in the national firearms transfer records for those types of weapons, to the
26 Bureau of Alcohol, Tobacco, and Firearms of the United States Department of
27 Justice, after a reasonable attempt has been made to transfer the firearm to an

1 eligible state or local law enforcement agency or to an eligible museum and no
2 eligible recipient will take the firearm or weapon. National Firearms Act firearms
3 and weapons which are properly registered and not returned to an innocent lawful
4 owner or retained for official use as provided in this section shall be sold to properly
5 licensed dealers under subsection (3) of this section.



President of Senate



Speaker-House of Representatives

Attest:



Chief Clerk of Senate

Approved



Governor

Date

4/11/14